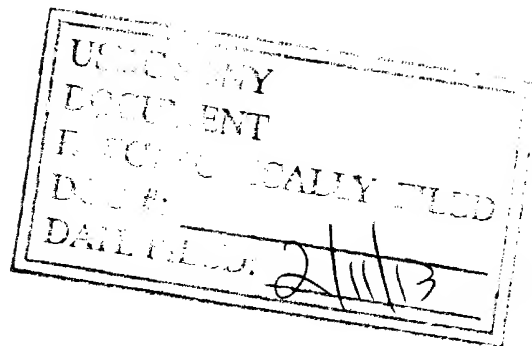


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
EDWARD L. WHITE, EDWARD L. WHITE, :
P.C., and KENNETH ELAN, on behalf of :
themselves and all others similarly :
situated; :

Plaintiffs, :

-v- :

WEST PUBLISHING CORPORATION d/b/a :
"West," and REED ELSEVIER INC., :
d/b/a "LexisNexis," :

Defendants. :

-----X

12 Civ. 1340 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On February 22, 2012, Plaintiffs Edward L. White, Edward L. White, P.C., and Kenneth Elan filed a putative class action alleging copyright infringement against defendants West Publishing Corp. ("West") and Reed Elsevier, Inc. ("LexisNexis"). On June 26, 2012, after the Court had dismissed Elan's claims and those of the proposed subclass of plaintiffs who had not registered any copyrights, White filed an amended, non-class action complaint, asserting claims of copyright infringement based on the inclusion of White's copyrighted briefs in West's "Litigator" and LexisNexis's "Briefs, Pleading and Motions" databases. On September 28, 2012 and October 5, 2012, defendants and White, respectively, filed motions for summary judgment on White's copyright infringement claims. The Court heard oral argument on these motions on November 20, 2012.

After carefully considering the parties' written submissions and oral argument, the Court hereby grants defendants' motions for summary judgment and denies plaintiff's motion. An opinion explaining the reasons for this ruling will issue in due course. Final judgment will not enter until the Court issues the reasons for its decision. The Clerk of the Court is directed to close items number 45, 46 and 53 on the docket of this case.

SO ORDERED.

Dated: New York, NY
February 8, 2013



JED S. RAKOFF, U.S.D.J.